

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|------------------------------|---|--------------------------------------|
| AUGUSTINE BONSU, | : | CIVIL ACTION NO. 1:05-CV-2444 |
| | : | |
| Plaintiff | : | (Judge Conner) |
| | : | |
| v. | : | |
| | : | |
| JACKSON NATIONAL LIFE | : | |
| INSURANCE, | : | |
| | : | |
| Defendant | : | |

ORDER

AND NOW, this 1st day of October, 2008, upon consideration of the motion (Doc. 88) filed by non-party the United States Internal Revenue Service (“IRS”), requesting that the court vacate its order dated May 5, 2008 (Doc. 80), which compelled the IRS to produce the personal federal income tax returns of plaintiff Augustine Bonsu and Kwaku Asamoah, and it appearing that the IRS has refused to produce the required documents by invoking the prohibition upon government disclosure of tax returns contained in 26 U.S.C. § 6103, (see Doc. 88), that the defendants claim an exception to this disclosure prohibition applies in this case, see 26 U.S.C. § 6103(e)(3), which allows for the disclosure of a decedent’s tax returns upon the written request of certain family members, (see Doc. 92 at 5-7), and that the IRS contends that plaintiffs have failed to file the formal, written request required by § 6103(e)(3) (see Doc. 94 at 2-3), and the court concluding that additional information is necessary regarding the parties’ attempts to comply with the procedures in § 6103(e)(3), it is hereby ORDERED that:

1. On or before October 8, 2008, plaintiff and defendant shall file a joint response to the IRS's motion to vacate the order of court dated May 5, 2008 (Doc. 88). The response shall include:
 - a. A detailed response to the IRS's argument, which is contained in the IRS's brief in reply to the motion to vacate (Doc. 94), contending that plaintiff has not requested his personal tax returns, or the returns of Kwaku Asamoah, using the specific procedures described in 26 U.S.C. § 6103(e)(3);
 - b. Detailed descriptions of the specific steps, if any, that plaintiff has taken to request these tax returns, including whether plaintiff has made a written request to the IRS; and
 - c. Documentary evidence, to the extent that any exists, that supports the averments called for in Paragraphs 1.a and 1.b.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge